

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1138 be amended to read as follows:

- 1 Page 3, between lines 8 and 9, begin a new paragraph and insert:
2 "SECTION 5. IC 36-7-11.5-3 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) An ordinance
4 establishing an interlocal agreement under section 2 of this chapter:
5 (1) must provide for the establishment of a historic hotel
6 preservation commission in the same manner as IC 36-7-11;
7 (2) shall specify which powers under IC 36-7-11 the commission
8 may exercise in administering the historic hotel district; and
9 (3) may not conflict with a requirement of this chapter.
10 If any provision in IC 36-7-11 conflicts with this chapter, the provisions
11 of this chapter control.
12 (b) The ordinance must provide for the following membership on the
13 historic hotel preservation commission:
14 (1) An individual appointed by the legislative body of the county
15 in which the towns are located.
16 ~~(2) An individual appointed by the convention and visitor's bureau~~
17 ~~of the county in which the towns are located.~~
18 ~~(3)~~ (2) An individual appointed by the town council of a town
19 meeting the criteria set forth in section 2(a)(1) of this chapter.
20 ~~(4)~~ (3) An individual appointed by the town council of a town
21 meeting the criteria set forth in section 2(a)(2) of this chapter.
22 ~~(5) An individual appointed by the Historic Landmarks~~
23 ~~Foundation of Indiana.~~
24 (4) An individual appointed by the town council of a town

described in IC 4-33-12-6(c)(1)(C)(i).

(5) An individual appointed by the town council of a town described in IC 4-33-12-6(c)(1)(C)(ii).

(6) The owner of a qualified historic hotel or the owner's designee.

(7) The owner of a historic hotel located in a town meeting the criteria set forth in section 2(a)(2) of this chapter or the owner's designee.

(8) A nonvoting member appointed by the governor.

(c) The members described in subsection (b)(1) through (b)(5) shall each serve for a term of three (3) years. However, the terms of the original voting members may be for one (1) year, two (2) years, or three (3) years in order for the terms to be staggered, as provided by the ordinance. A vacancy shall be filled for the duration of the term by the original appointing authority.

(d) The ordinance may provide qualifications for members of the commission described in subsection (b)(1) through ~~(b)(4)~~: **(b)(5)**. In addition: ~~the members~~

(1) a member appointed under subsection (b)(1) ~~through (b)(4)~~ must be ~~residents~~ **a resident** of the county who ~~are~~ **is** interested in the preservation and development of historic areas; **and**

(2) a member appointed under subsection (b)(2) through (b)(5) must:

(A) be a resident of the town that appoints the member; and

(B) be interested in the preservation and development of historic areas.

The commission should include professionals in the tourism industry and professionals in the disciplines of architectural history, planning, and other disciplines related to historic preservation, to the extent that those professionals are available in the community. The ordinance may also provide for the appointment of advisory members that the legislative body considers appropriate.

(e) Each member of the commission must, before beginning the discharge of the duties of the member's office, do the following:

(1) Take an oath that the member will faithfully execute the duties of the member's office according to Indiana law and rules adopted under Indiana law.

(2) Provide a bond to the state that:

(A) is for twenty-five thousand dollars (\$25,000); and

(B) is, after being executed and approved, recorded in the office of the secretary of state.

(f) A member of the commission is not entitled to a salary per diem or reimbursement for traveling expenses or other expenses incurred in connection with the member's duties."

Page 3, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding any other law, the term of a member of a historic hotel

- 1 **preservation commission established under IC 36-7-11.5 who:**
2 **(1) was appointed to the commission by an entity that does not**
3 **have the power to appoint a member under IC 36-7-11.5-3, as**
4 **amended by this act; or**
5 **(2) is not in compliance with the residency requirements of**
6 **IC 36-7-11.5-3, as amended by this act;**
7 **expires on July 1, 2005.**
8 **(b) Vacancies resulting from the application of this SECTION**
9 **must be filled by the appropriate appointing authorities under**
10 **IC 36-7-11.5-3, as amended by this act.**
11 **(c) This SECTION expires January 1, 2006."**
12 Renumber all SECTIONS consecutively.
 (Reference is to HB 1138 as printed February 25, 2005.)

Representative Pelath